

### REMARKS

Examiner has rejected claims 1, 5, 6, 9, 13 and 14 under 35 U.S.C. § 102(e) as being anticipated by USPN 6,246,672 (Lumelsky). Examiner has rejected claims 2 through 4, 7, 8, 10 through 12, 15 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Lumelsky in view of USPN 6,014,569 (Bottum).

Applicant has amended the claims. Applicant respectfully traverses the rejections as to the claims as amended.

Applicant has added claims 17 through 20 to more fully set out the subject matter Applicant views as the invention.

In order to establish a *prima facie* case of obviousness, the prior art references when combined must teach or suggest all the claim limitations. Below, Applicant points out subject matter within each independent claim that is not disclosed or suggested by the cited art, whether considered alone or in combination. On the basis of this, Applicant believes all the claims are patentable over the cited art.

#### Discussion of Independent Claim 1

Claim 1 sets out a remote radio receiver that includes audio circuitry that receives a digital audio stream and plays extracted audio signals over a speaker. The digital audio stream is a radio program received by the remote radio receiver from a personal computer. The personal computer receives the radio program from an internet connection. This is not disclosed or suggested

by the cited art. Specifically, neither Lumelsky nor Bottum, whether considered alone or in combination, disclose or suggest a personal computer receiving a radio program from an internet connection and a remote radio receiver receiving the radio program from the personal computer.

Examiner has argued that the remote radio receiver in claim 1 corresponds to user terminal 301 shown in Figure 1 of Lumelsky. Examiner has further argued that the personal computer in claim 1 corresponds to Personal radio station server 201 also shown in Figure 1 of Lumelsky. These correlations made by Examiner, however, are not tenable.

Personal radio station server (PRSS) 201 of Lumelsky does not correspond to the personal computer set out in claim 1. As can be seen from Figure 1 of Lumelsky, PRSS 201 actually sends transmissions through the internet 402 to user's terminal 301. PRSS 201, is thus not a remote radio receiver, but actually functions as a radio station or source of information.

User's terminal 301 serves as a stand-alone radio receiver. User's terminal 301 is not a remote radio receiver that receives a radio program from a person computer, as set out in claim 1.

Thus, Lumelsky only discloses what is essentially a stand-alone radio receiver. User's terminal 301 receives radio transmissions and plays them. PRSS 201 is essentially a radio station, or information source.

The stand-alone radio receiver disclosed in Lumelsky is completely different than the subject matter of claim 1 where a personal computer receives a radio program from an internet connection and forwards the radio program to a remote radio receiver.

Lumelsky fails to disclose or suggest a personal computer that receives a radio program from the internet and forwards the radio program to a remote radio receiver.

The use of a stand-alone radio receiver as set out in Lumelsky and Bottum does not address the issues solved by the invention as set out by claim 1 of the present case. That is, most personal computers include one or more fans which are noisy. This can interfere with the listening pleasure of the user. Many personal computers also have low quality sound reproduction. In addition, personal computers when connected to the internet via traditional modem, digital subscriber line (DSL) or cable modem are not portable. These issues arising when a personal computer is used to receive a radio program from an internet connection are not addressed or solved by the subject matter disclosed by Lumelsky and Bottum.

#### Discussion of Independent Claim 9

Claim 9 sets out a method for providing remote radio reception. In step (a) of claim 9, a digital audio stream is received from a personal computer.

Extracted audio signals are placed over a speaker. The digital audio stream is a radio program received by the personal computer from an internet connection. This is not disclosed or suggested by the cited art. Specifically, neither Lumelsky nor Bottum, whether considered alone or in combination, disclose or suggest a personal computer receiving a radio program from an internet connection and a remote radio receiver receiving the radio program from the personal computer.

As discussed above, personal radio station server (PRSS) 201 of Lumelsky does not correspond to the personal computer set out in claim 9. As can be seen from Figure 1 of Lumelsky, PRSS 201 actually sends transmissions through the internet 402 to user's terminal 301. PRSS 201, is thus not a remote radio receiver, but actually functions as a radio station or source of information.

User's terminal 301 serves as a stand-alone radio receiver. User's terminal 301 is not a remote radio receiver that receives a radio program from a person computer.

Thus, Lumelsky only discloses what is essentially a stand-alone radio receiver. User's terminal 301 receives radio transmissions and plays them. PRSS 201 is essentially a radio station, or information source.

The stand-alone radio receiver disclosed in Lumelsky is completely different than the subject matter of claim 9 where a personal computer

receives a radio program from an internet connection and forwards the radio program to a remote radio receiver.

Lumelsky fails to disclose or suggest a personal computer that receives a radio program from the internet and forwards the radio program to a remote radio receiver.

The use of a stand-alone radio receiver as set out in Lumelsky and Bottum does not address the issues solved by the invention as set out by claim 9 of the present case. That is, most personal computers include one or more fans, which are noisy. This can interfere with the listening pleasure of the user. Many personal computers also have low quality sound reproduction. In addition, personal computers when connected to the internet via traditional modem, digital subscriber line (DSL) or cable modem are not portable. These issues arising when a personal computer is used to receive a radio program from an internet connection are not addressed or solved by the subject matter disclosed by Lumelsky and Bottum.

#### Discussion of Independent Claim 17

Claim 17 sets out a remote radio receiver. The remote radio receiver includes means for receiving a digital audio stream and playing extracted audio signals over a speaker. The digital audio stream is a radio program received by the personal computer from an internet connection. This is not

disclosed or suggested by the cited art. Specifically, neither Lumelsky nor Bottum, whether considered alone or in combination, disclose or suggest a personal computer receiving a radio program from an internet connection and a remote radio receiver receiving the radio program from the personal computer.

As discussed above, personal radio station server (PRSS) 201 of Lumelsky does not correspond to the personal computer set out in claim 17. As can be seen from Figure 1 of Lumelsky, PRSS 201 actually sends transmissions through the internet 402 to user's terminal 301. PRSS 201, is thus not a remote radio receiver, but actually functions as a radio station or source of information.

User's terminal 301 serves as a stand-alone radio receiver. User's terminal 301 is not a remote radio receiver that receives a radio program from a person computer.

Thus, Lumelsky only discloses what is essentially a stand-alone radio receiver. User's terminal 301 receives radio transmissions and plays them. PRSS 201 is essentially a radio station, or information source.

The stand-alone radio receiver disclosed in Lumelsky is completely different than the subject matter of claim 17 where a personal computer receives a radio program from an internet connection and forwards the radio program to a remote radio receiver.

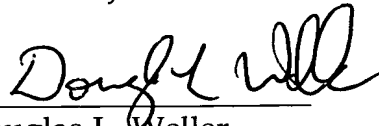
Lumelsky fails to disclose or suggest a personal computer that receives a radio program from the internet and forwards the radio program to a remote radio receiver.

The use of a stand-alone radio receiver as set out in Lumelsky and Bottum does not address the issues solved by the invention as set out by claim 9 of the present case. That is, most personal computers include one or more fans, which are noisy. This can interfere with the listening pleasure of the user. Many personal computers also have low quality sound reproduction. In addition, personal computers when connected to the internet via traditional modem, digital subscriber line (DSL) or cable modem are not portable. These issues arising when a personal computer is used to receive a radio program from an internet connection are not addressed or solved by the subject matter disclosed by Lumelsky and Bottum.

Conclusion

Applicant believes this Amendment has placed the present case in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,  
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